

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

|                              |   |                            |
|------------------------------|---|----------------------------|
| JACQUES S. HAWKINS,          | ) |                            |
|                              | ) |                            |
| Plaintiff,                   | ) |                            |
|                              | ) |                            |
| v.                           | ) | Case No. 4:23-cv-00601-SEP |
|                              | ) |                            |
| CASEWORKER UNKNOWN PHILLIPS, | ) |                            |
|                              | ) |                            |
| Defendant.                   | ) |                            |

**MEMORANDUM AND ORDER**

Before the Court is pro se Plaintiff Jacques S. Hawkins's Complaint. Doc. [1]. For the reasons set forth below, the Court transfers this action to the United States District Court for the Southern District of Illinois. *See* 28 U.S.C. § 1406(a).

**BACKGROUND**

Plaintiff is a self-represented litigant who is currently incarcerated at the Federal Correctional Institution (FCI) in Greenville, Illinois. On May 5, 2023, he submitted a handwritten document, which the Court construes as a prisoner civil rights complaint. Doc. [1]. Plaintiff asserts that since his arrival at Greenville FCI, he has been denied his religious diet and wrongfully placed into the secure housing unit. *Id.* at 4. He also alleges that Caseworker Phillips shared information in his file with other inmates, which he claims placed his life in danger. *Id.* at 5.

**DISCUSSION**

Upon review of the complaint, the Court has determined that Plaintiff has not shown that venue is proper in the Eastern District of Missouri. Venue over a civil action is proper in:

(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

28 U.S.C. § 1391(b). If venue is improper, the Court must either dismiss the action or, in the interest of justice, transfer the action to the proper district. *See* 28 U.S.C. § 1406(a).


Here, the events alleged by Plaintiff took place in Greenville FCI, which is located in Bond County, Illinois. Bond County is located within the Southern District of Illinois. *See* 28 U.S.C. § 93(c). Caseworker Phillips, the sole named defendant, is alleged to be an employee of that correctional institution. Because all events giving rise to Plaintiff's claims occurred in Greenville FCI, and because Defendant appears to reside in the Southern District of Illinois, venue is proper in the United States District Court for the Southern District of Illinois.

When a case is filed "laying venue in the wrong division or district," the Court can either dismiss it or, "in the interest of justice, transfer such case to any district or division in which it could have been brought." 28 U.S.C. § 1406(a). Since Plaintiff is *pro se*, the Court concludes that it is in the interest of justice to transfer this action to the United States District Court for the Southern District of Illinois. Plaintiff's Motion for Leave to Proceed *in forma pauperis*, Doc. [3], and Motion for Appointment of Counsel, Doc. [4], will remain pending for review by that court.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk of Court shall **TRANSFER** this case to the United States District Court for the Southern District of Illinois. *See* 28 U.S.C. § 1406(a).

Dated this 26<sup>th</sup> day of May, 2023.

  
SARAH E. PITLYK  
UNITED STATES DISTRICT JUDGE